

COMMITTEE ON LEGAL SERVICES

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Rep. Anne McGihon, Vice Chair
Rep. Morgan Carroll
Rep. Mike Cerbo
Rep. Bob Gardner
Rep. Ellen Roberts
Sen. Peter Groff
Sen. Shawn Mitchell
Sen. Brandon Shaffer
Sen. Steve Ward

**OFFICE OF LEGISLATIVE LEGAL SERVICES
COLORADO GENERAL ASSEMBLY**



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SUMMARY OF MEETING

COMMITTEE ON LEGAL SERVICES

January 25, 2007

The Committee on Legal Services met on Thursday, January 25, 2007, at 8:12 a.m. in HCR 0111. The following members were present:

Senator Veiga, Chair
Senator Groff
Senator Mitchell (present at 8:25 a.m.)
Senator Shaffer (present at 8:20 a.m.)
Representative M. Carroll
Representative Cerbo (present at 8:13 a.m.)
Representative B. Gardner
Representative McGihon, Vice-chair
Representative Roberts

Representative McGihon called the meeting to order. She said the first order of business for the Committee is the election of a chair and vice-chair. Then Sharon Eubanks will give us some information on the budget. Are there nominations for chair?

8:14 a.m.

Senator Groff nominated Senator Veiga to serve as chair of the Committee. No objections were raised to that motion and it passed unanimously.

Senator Veiga asked for nominations for vice-chair.

8:14 a.m.

Representative Carroll nominated Representative McGihon to serve as

vice-chair of the Committee. No objections were raised to that motion and it passed unanimously.

Sharon Eubanks, Deputy Director, Office of Legislative Legal Services, testified before the Committee on the update on the Office's budget.

Ms. Eubanks said since the Committee is the oversight committee for our Office, it's common practice for us to bring our budget to you for review. At this point in time, it's a draft. It's always subject to change, as it eventually goes to the Executive Committee and a lot of times the Executive Committee will direct us to make changes, especially in light of the Joint Budget Committee's (JBC) common policies, which at this point in time they have not adopted for the executive branch. A lot of times we have to amend the budget down the road as the JBC continues its work. With that understanding, you should have both a narrative of the budget as well as the actual budget document. What I'd like to do is go through the major components of the budget, and then if you have more specific questions I'd be happy to answer them. In terms of our budget for 2007-08, we are requesting a total of \$5,059,806, which represents a 5.49% increase over our current year's budget. There are some additional funding requests, due to surcharges that have to be paid for PERA and that makes the total request for our Office \$5,110,309, which is a 6% increase. There are, within our budget request, certain components. The personal services component is obviously the biggest one. That funds most of the salaries and benefits of the staff as well as a couple other items. For personal services, our request is \$4,461,290, which represents a 5.77% increase over our current year's funding. That funding funds 50 FTE. Although we're authorized for 56.1 FTE, our actual FTE count is 49 at this point, so that funding does include funding one position that was not filled. That is basically due to when Doug Brown, the former director of our Office, retired, Charley Pike took that position, and we didn't hire someone else for that position.

Ms. Eubanks said within the personal services request, we have a couple of different requests. One is the salary survey. The salary survey increase being requested is in alignment with what's recommended for the executive branch. It's a 3.6% increase, which is then reduced by .2% pursuant to one of the funding mechanisms to stabilize PERA, which would result in a net salary survey increase of 3.4%. In addition to that, the Office is requesting additional funding for attorneys salaries, basically to try to help keep us somewhat competitive with the private sector and especially with the Attorney General's Office. For the members who have been on this Committee before, you might recall in this year's budget we had asked for a 5% increase because

in the previous year, the Attorney General's Office had got a 5% additional salary increase and we're trying to keep pace. For the current fiscal year, again the Attorney General's Office got an additional \$1 million for salary increases to try to keep them competitive with the private sector and other governmental entities. The additional 2.25% we're asking for would be the equivalent of that \$1 million that the Attorney General's received for this year. We always seem to be one step behind timing-wise, but we'd like to try to keep as up-to-date as possible. With the 3.4% and 2.25%, we're requesting a 5.65% increase for salary increases, and that equates to approximately \$170,013 plus the associated costs for PERA and those types of things. In addition to that, personal services includes the request for merit-based salary increases and we're asking for funding for a .92% increase. Again, that equates to what the executive branch is asking in terms of merit increases. That equates to approximately \$31,905, plus additional costs.

Ms. Eubanks said another bigger increase within the personal services line is the increase in funding for the employer contribution for employee health, dental, and life insurance. The executive branch is asking the state to fund 85% of the private sector funding for insurance. The amount we're requesting is \$230,524 total, which represents a 12.43% increase.

Ms. Eubanks said in addition, in personal services we also provide a transit allowance and EcoPass. We provide a monetary transit allowance of \$99 per month per employee, plus the past couple of years we've also participated in the EcoPass system, so that folks have a variety of ways to deal with the fact of coming downtown. Commuting costs as well as the parking costs are expensive and we try to help them out as much as possible.

Ms. Eubanks said also, we assume that there'll be a .2% common policy reduction in personal services. That's something the JBC has done for the past several years, so we'll go ahead and assume that'll be the case. If they don't go that route, then obviously we would change that portion of our budget for personal services.

Ms. Eubanks said the next major component of the budget is operating expenses. We try to minimize increases in operating expenses. We are requesting a total of \$546,911, which is a 3.28% increase. We pretty much stay constant on most expenses. Things that are generating the increase are basically purchasing additional licenses, what are called VPNs, from the computer center, which allows staff to have access from remote locations. Ever since they changed security with the state computer system in terms of building firewalls to prevent hacking and those sorts of things, there's limited

access from remote locations. For our folks to be able to access from home if they want to work after hours, we have some VPNs already purchased and we want to purchase 12 additional VPNs. Also, we're asking for an increase in noncapitalized equipment, basically for some improvements in furniture. As part of the Life Safety Project, one-half of our Office, the east side, will be moved out this next interim. As part of that whole process, we'd like to update some of the furniture that folks are using and so we've worked in some additional funding for furniture improvement. Also, as part of the operating expenses component of our budget, we've got contract printing, which is the publications of statutes and session laws and that remains the same at \$242,350. Also, in terms of legal fees, we're requesting the same amount, which is \$160,000 for legal fees when the Committee authorizes the retention of outside counsel. The travel component of our budget is the same as last year at \$5,000. The last component of our budget is the Commission on Uniform State Laws. That component shows an increase of 6% funding, and the total request is \$46,605. That pays for membership fees, travel expenses, and registration fees for the members of the Commission on Uniform State Laws in Colorado. That represents our budget. The bottom line is that, before the PERA increases, it's a 5.49% increase. With the PERA additions, that puts us up to 6%. As the budget moves along, we'll come back if there are modifications and to keep you up to date on what those modifications are.

Senator Veiga asked if the Committee needs to take action on the budget at this time, since it's preliminary? Ms. Eubanks said you can go ahead and approve it with the understanding that we may always come back if there's changes.

8:26 a.m.

Hearing no further discussion or testimony, Representative McGihon moved to approve the Office budget. The motion passed on a 9-0 vote, with Senator Groff, Senator Mitchell, Senator Shaffer, Senator Veiga, Representative Carroll, Representative Cerbo, Representative Gardner, Representative McGihon, and Representative Roberts voting yes.

The Committee discussed a date for the next meeting.

8:31 a.m.

The Committee adjourned.